

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

OTIS WILKERSON

Petitioner,

:

v.

:

CIVIL ACTION
NO. 18-2203

THOMAS MCGINLEY, *Superintendent;*
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA; and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA

:

Respondents.

ORDER

AND NOW, this 13th day of April 2020, upon consideration of: Petitioner's Amended Petition for Writ of Habeas Corpus (ECF No. 29); Respondents' Answer thereto (ECF No. 35); and, the Honorable Carol Sandra Moore Wells' Report and Recommendation (ECF No. 39), it is hereby ORDERED as follows:

- (1) The unopposed Report and Recommendation (ECF No. 39) is APPROVED and ADOPTED;
- (2) Petitioner's Amended Petition for Writ of Habeas Corpus (ECF No. 29) is GRANTED as provided for in the Report and Recommendation;
- (3) In accordance with the Report and Recommendation, the above-captioned matter is REMANDED to the Philadelphia Court of Common Pleas for further proceedings;
- (4) A Certificate of Appealability shall NOT ISSUE; and,
- (5) The Clerk of Court shall mark this matter CLOSED.

BY THE COURT:

/s/ C. Darnell Jones, II J